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May 2, 2011

Magistrate Judge Roanne L. Mann
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: In the Matter of The Petition of North East Marine, Inc., As Owner of The
Tug Elena, A 35' Deck Barge and a 40' Deck Barge, for Exoneration from
and Limitation of Liability v. El Sol Contracting
Docket No.: 09-CV-5602
D/L : 1/29/2008
Our File : LIB-00105.1/TSH

Dear Magistrate Judge Mann:

This office represents El Sol Contracting & Construction Corp. with regard to the above-referenced matter.

I am writing to provide you with the Status of this litigation, per your February 2, 2011 Memorandum and Order.

Please be advised that this office designated Dr. Maurice Carter and Dr. William B. Head, Jr., to perform independent orthopedic and neuro-psychiatric examinations, respectively, on the claimant, Robert Boody. We have been advised by Dr. Carter's office that, while the plaintiff did, in fact, attend the March 30, 2011 examination, Dr. Carter will be unable to prepare a report until Wednesday, May 4, 2011.

Additionally, we were advised that, due to illness, the claimant, Robert Boody, failed to attend an April 28, 2011 examination with Dr. Head, necessitating the rescheduling of the neuro-psychiatric examination to June 14, 2011.

Accordingly, we respectfully request an adjournment of Respondent El Sol's time to file RULE 26(a)(2)(D) MEDICAL EXPERT DISCLOSURE.

Respondent El Sol has not retained the services of a liability expert and does not intend to do so.

We are of the opinion that all other discovery is now complete.

Very truly yours,

PILLINGER MILLER TARALLO, LLP

By: _____
TERRI S. HALL

TSH/tsh

cc: Hofmann & Schweitzer
Nicoletti Hornig & Sweeney
Herzfeld & Rubin, PC